

## Chapter ETF 3

## RECORDS

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**ETF 3.01 Individual personal information.** Individual personal information within the meaning of s. 40.03, Stats., is all information in any individual record of the department, including but not limited to date of birth, earnings, contributions, interest credits, beneficiary designations, creditable service, marital status, etc., but not including information in any statistical or other report or summary in which individual identification is not possible.

(1) Such individual personal information may be disclosed as required for the proper administration of the department, including discussion of any such information in any meeting of any board created under s. 15.16 or 15.165, Stats., and including disclosure in any written record of the proceedings of any such board.

(2) Such individual personal information may be disclosed, except as otherwise prohibited, to the individual whose record contains such information or to his duly authorized representative.

(a) Disclosure to the individual whose record contains such information may be made in person, by telephone, or in writing, upon proper identification of such individual.

(b) Disclosure to the duly authorized representative of an individual may be made in person, by telephone, or in writing, upon proper identification of such authorized representative.

1. Except as provided under subd. 3, authorization by an individual must be in writing and must refer specifically to the records in this department.

2. If the authorization does not contain an expiration date it shall be deemed to have expired at the end of 60 days after the date the authorization was signed. If the authorization contains neither an expiration date nor the date of signing, it shall be invalid.

3. The secretary of the department, or specific departmental employees designated by the secretary, may authorize disclosure of information without written authorization when satisfied that urgent circumstances exist which warrant an exception to normal procedures and that the person to whom the information is to be given is authorized to receive such information.

(c) In case of death, disabling injury or disease, disclosure shall be made only to a proper beneficiary or the duly authorized representative of such beneficiary or to the legal representative of the individual (or his estate) whose record is the subject of inquiry.

(d) Membership in an employe organization does not create a blanket right of the organization staff to receive information from the records of the member.

(3) Disclosure may be made to any public officer or employe for use in the discharge of his official duties. If any request for disclosure of information does not appear to be reasonably related to the official duties of the requestor, the officer or employe shall be advised to put his request in writing and to state the specific need for the information requested.

(4) Disclosure may be made in writing or by personal testimony in response to any court order which establishes that the information requested is relevant to a pending court action.

(5) Notwithstanding any other authority, medical records may be disclosed only pursuant to a court order.

(6) The department will not furnish lists of members, participants, annuitants or beneficiaries to any person or organization whatsoever.

**History:** Cr. Register, May, 1974, No. 221, eff. 6-1-74; am. (2) (b), Register, December, 1978, No. 276, eff. 1-1-79.

**ETF 3.02 Transcript fees.** (1) A copy of the transcript of proceedings in any hearing initiated under the provisions of s. 227.07 or 227.075, Stats., will be provided upon the written request of a party, as defined in s. 227.06, upon payment of the fee or fees specified below:

(a) A \$3.00 flat charge plus 25¢ for each page of the transcript for single copies.

(b) A 10¢ per page charge for additional copies.

(2) One free copy of the transcript will be provided to any party who establishes to the satisfaction of the department, that the payment of a transcript fee would prove to be an unreasonable financial burden due to such party's impecuniousness.

**History:** Cr. Register, July, 1977, No. 259, eff. 8-1-77.

**ETF 3.03 Fee for search of historical records.** Employes and employes may be charged an administrative fee of \$5.00 for information concerning an account or record which is not readily available and which requires a search of historical records, either within the department or at the state records center.

**History:** Cr. Register, April, 1978, No. 238, eff. 5-1-78.